

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:19-cv-00145

Dollie E. Baker,
Plaintiff,

v.

Commissioner, Social Security Administration,
Defendant.

Before BARKER, *District Judge*

ORDER

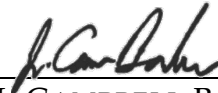
On April 16, 2019, plaintiff Dollie Baker, proceeding *pro se*, filed this civil action pursuant to the Social Security Act, 42 U.S.C. § 205(g), for judicial review of the Commissioner's denial of plaintiff's application for social security benefits. Doc. 1. The case was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636(b). Doc. 3.

On November 9, 2019, Judge Love issued an order directing plaintiff to file an opening brief within 45 days of receipt of the order. Doc. 16. Nine days later, plaintiff received Judge Love's order (Doc. 17) but has not yet filed an opening brief in this case. The deadline for filing has now passed.

On January 8, 2020, Judge Love issued a report and recommendation that the complaint be dismissed without prejudice for want of prosecution and failure to obey a court order. Doc. 18. The report and recommendation was mailed to plaintiff at her address of record, and, according to the records of the United States Postal Service, delivered to plaintiff on January 25, 2020. The report informed plaintiff of her right to file written objections within 14 days and warned that a failure to do so would bar a party from de novo review by the district judge. *Id.* More than 14 days have passed since plaintiff has received the report and recommendation and no objections have been filed.

The court finds no “clear error on the face of the record” in Judge Love’s report. *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc). Accordingly, the report and recommendation is **adopted**. The complaint is **dismissed without prejudice** for failure to prosecute and for failure to comply with a court order. All motions not previously ruled on are **denied**. The clerk of court is **directed** to close this case.

So ordered by the court on February 13, 2020.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge